

FILED

08 APR 17 PM 3:06

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DALE A. AMATO, ESQ. (SBN 137965)  
BERGER KAHN  
A Law Corporation  
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San Diego, CA 92131-1027  
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Attorneys for Defendants PEERLESS INSURANCE COMPANY, LIBERTY MUTUAL  
FIRE INSURANCE COMPANY and GOLDEN EAGLE INSURANCE  
CORPORATION

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'08 CV 0709 BTM AJB

SHAW MORTGAGE  
CORPORATION dba  
PATIOSOURCE & THE NATURAL  
TOUCH, a California Corporation

Plaintiffs,

v.

PEERLESS INSURANCE  
COMPANY, a New Hampshire  
Company; GOLDEN EAGLE  
INSURANCE CORPORATION, a  
California Corporation; LIBERTY  
MUTUAL INSURANCE COMPANY,  
a Massachusetts Company; and DOES  
1 - 20, inclusive,

Defendants.

CASE NO.:

SDSC Case No. 37-2007-00084451-CU-BC-CTL

CERTIFICATE OF SERVICE OF  
NOTICE TO ADVERSE PARTY OF  
NOTICE OF REMOVAL

Date Complaint Filed: 12/21/2007

I, Tina Lemay, hereby declare as follows:

1. I am over the age of 18 years of age and not a party to this action.
2. My business address is 10085 Carroll Canyon Road, Suite 210, San Diego, California, 92131, which is located in the city, state and county where this mailing took place.
3. On April 17, 2008, I deposited in the mail with the United States Postal Service, at San Diego, California, a copy of **DEFENDANT PEERLESS INSURANCE**

BERGER KAHN  
A Law Corporation  
10085 Carroll Canyon Road, Suite 210  
San Diego, CA 92131-1027

1 **COMPANY'S NOTICE TO ADVERSE PARTY OF PETITION FOR REMOVAL**  
2 **OF CIVIL ACTION TO FEDERAL COURT PURSUANT TO 28 U.S.C. § 1441 (B)**  
3 on the interested parties in this action by placing a true copy thereof enclosed in a sealed  
4 envelope addressed as follows:

5  
6 Vincent J. Bartolotta, Jr., Esq.  
7 Karen R. Frostrom, Esq.  
8 THORSNES BARTOLOTTA  
9 McGUIRE  
10 2550 Fifth Ave., Eleventh Fl.  
11 San Diego, CA 92103  
12 Phone: 619-236-9363  
13 Fax: 619-236-9653  
14 *Attorney for Shaw Mortgage*  
15 *Corporation dba Patiosource &*  
16 *The Natural Touch*

17  
18 I declare under penalty of perjury, under the laws of the United States of America  
19 that the foregoing is true and correct and I am employed in the office of a member of the  
20 bar of this Court at whose direction the service was made.

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22 This declaration is hereby executed this April 17, 2008 at San Diego, California.

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TINA LEMAY, Declarant

BERGER KAHN  
A Law Corporation  
10085 Carroll Canyon Road, Suite 210  
San Diego, CA 92131-1027

Shaw Mortgage Corporation dba Patiosource & The Natural Touch v. Peerless Insurance Company; Golden Eagle Insurance Corporation, Liberty Mutual Insurance Company  
37-2007-00084451-CU-BC-CTL

### **CERTIFICATE OF PROOF OF SERVICE**

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My business address is: Berger Kahn, 10085 Carroll Canyon Road, Suite 210, San Diego, California 92131.

On April 17, 2008, I served the foregoing documents described as:

#### **CIVIL COVER SHEET**

**DEFENDANT PEERLESS INSURANCE COMPANY'S PETITION FOR  
REMOVAL OF CIVIL ACTION TO FEDERAL COURT PURSUANT TO 28  
U.S.C. § 1441(B)**

#### **JOINDER IN REMOVAL OF ACTION**

#### **DEMAND FOR JURY**

'08 CV 0709 BTM AJB

#### **CERTIFICATE OF INTERESTED PARTIES**

#### **NOTICE OF FINANCIAL DISCLOSURE**

#### **NOTICE OF RELATED CASES**

#### **CERTIFICATE OF SERVICE OF NOTICE TO ADVERSE PARTY OF**

on the interested parties in this action:

Vincent J. Bartolotta, Jr., Esq.  
Karen R. Frostrom, Esq.  
THORSNES BARTOLOTTA McGUIRE  
2550 Fifth Ave., Eleventh Fl.  
San Diego, CA 92103  
Phone: 619-236-9363  
Fax: 619-236-9653  
*Attorney for Shaw Mortgage Corporation  
dba Patiosource & The Natural Touch*


☒ **BY MAIL**(C.C.P. § 1013(a))—I deposited such envelope(s) for processing in the mail room in our offices. I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Diego, California, in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

**PROOF OF SERVICE**

BERGER KAHN  
A Law Corporation  
10085 Carroll Canyon Road, Suite 210  
San Diego, CA 92131-1027

1 ☒ (Federal) I declare that I am employed in the office of a member of the bar of this  
2 Court at whose direction the service was made.

3 Executed on April 17 2008, at San Diego, California.

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6 TINA LEMAY  
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